

To: "YON Donald R" [YON.Donald@deq.state.or.us]
Cc: []
Bcc: []
From: CN=Don Waye/OU=DC/O=USEPA/C=US
Sent: Thur 4/28/2011 8:16:10 PM
Subject: RE: Requested documents.
<http://www.leg.state.or.us/11reg/measures/sb0700.html>
<http://www.leg.state.or.us/11reg/measpdf/sb0001.dir/sb0083.a.pdf>
 Policy Package 120
yon.donald.r@deq.state.or.us
Waye.Don@epamail.epa.gov
powers.david@epa.gov
<http://www.deq.state.or.us/msd/budget/1113GRB/GBB2011-13.pdf>
yon.donald.r@deq.state.or.us
 (embedded image)

Thanks for the update, Don.

Don Waye
 U.S. Environmental Protection Agency
 Nonpoint Source Control Branch (OWOW/AWPD)

USPS Mailing Address:	Office (FedEx/UPS delivery):
Mail Code 4503T	Room 7417H
1200 Pennsylvania Ave, NW	1301 Constitution Ave, NW
Washington, DC 20460	Washington, DC 20004

Phone: (202) 566-1170 Fax: (202) 566-1331
 Email: waye.don@epa.gov Website: epa.gov/nps

From: "YON Donald R" <YON.Donald@deq.state.or.us>
To: "Allison Castellan" <Allison.Castellan@noaa.gov>, Don Waye/DC/USEPA/US@EPA, David Powers/R10/USEPA/US@EPA, "BAILEY Bob" <Bob.Bailey@state.or.us>, Jayne Carlin/R10/USEPA/US@EPA
Cc: "MULLANE Neil" <MULLANE.Neil@deq.state.or.us>, "FOSTER Eugene P" <FOSTER.Eugene@deq.state.or.us>, "YON Donald R" <YON.Donald@deq.state.or.us>
Date: 04/28/2011 02:51 PM
Subject: RE: Requested documents.

Dear all, I received this update form DEQ's Legislative Coordinator, Greg Aldrich:

Don,

We are waiting on the Ways and Means process, which is where our budget and policy packages are. As you know we had the public hearing on April 11-13 where Dick presented and then there was public testimony on April 14. We understand that the DEQ work session may occur on Thursday, May 5. However, this is not on the official agenda yet. Agendas for later next week will likely be posted on this Friday or over the weekend. At this time, we have not received information as to what will be in the Natural Resources Subcommittee's budget recommendation for DEQ.

As you probably know, the W&Ms NR Subcommittee should discuss their budget recommendation and then vote on it. Afterwards, it will go to the Full Ways & Means for consideration and action. This often

occurs about one week after the subcommittee takes action. When it passes out of the Full W&Ms, it will then go to the House Floor and then Senate Floor for action. This should occur through May and into June. It does take time to move a bill, our budget is HB 5022, from one body to another. There is quite a bit of processing and paperwork that needs to occur before bills are scheduled for the floor session. The Legislature is still aiming to adjourn by June 30.

Stay tuned. We might know a lot more within a week.

Greg

Don Yon
Nonpoint Source Pollution Coordinator
Oregon DEQ, Water Quality Division
811 SW Sixth Avenue
Portland, OR 97204
yon.donald.r@deq.state.or.us
503-229-6850
503-229-6037 (fax)

From: YON Donald R
Sent: Thursday, April 28, 2011 9:26 AM
To: 'Allison Castellan'
Cc: Waye.Don@epamail.epa.gov; powers.david@epa.gov; BAILEY Bob; MULLANE Neil; FOSTER Eugene P;
Carlin.Jayne@epamail.epa.gov; YON Donald R
Subject: RE: Requested documents.

Allison and all, I am pleased to hear that Jayne Carlin, EPA region 10 will play a coordinating role on CZARA issues in OR.

In regards to the term "Coastal Zone Area", this phrase is used for public description of the Oregon Coastal Nonpoint Pollution Control Program, CZARA 6217 boundary and not the CZMA planning, smaller boundary.

And, lastly I check every other day on the progress of SB 707 at <http://www.leg.state.or.us/11reg/measures/sb0700.html> . Last time I checked, the bill has not passed out of the Senate assigned subcommittee or committee for vote on the floor.

The DEQ Policy Package #120: Improve the Onsite Septic System Program (0.875 FTE; \$135,509 OF) is part of DEQ's over budget approval process. While we won't have 100% certainty until our budget is approved (probably late May or June), we will be pretty confident after the "work session" on our budget, which is expected to be scheduled within the next week or two.

I will keep you informed once any significant action is taken on SB707 and/or DEQ's Policy Package #120. Any questions, please ask. Don

Don Yon
Nonpoint Source Pollution Coordinator
Oregon DEQ, Water Quality Division
811 SW Sixth Avenue
Portland, OR 97204
yon.donald.r@deq.state.or.us
503-229-6850
503-229-6037 (fax)

From: Allison Castellan [mailto:Allison.Castellan@noaa.gov]
Sent: Thursday, April 28, 2011 6:40 AM
To: YON Donald R
Cc: Waye.Don@epamail.epa.gov; powers.david@epa.gov; BAILEY Bob; MULLANE Neil; FOSTER Eugene P;
Carlin.Jayne@epamail.epa.gov
Subject: Re: Requested documents.

Don--

Thanks for sharing the OSDS docs with us. Both the state's proposal to develop rules for pt. of sale inspections within the coastal

nonpoint program boundary as well as SB 707 that would require pt. of sale inspections for the entire state would satisfy OR's OSDS condition. If the senate bill passes, it would enable OR to meet the condition right away, but as you noted in our call and the timeline we agreed to, if the policy package is successful, NOAA/EPA would have to wait until the rules are adopted (right now estimated for Dec. 2012). Please let us know if there is anything NOAA and EPA can do support either of these efforts, such as writing a letter of support.

Also, I wanted to point out one minor issue I noticed in the policy statement to make sure you're communicating as clearly about the program as possible. While you correctly described the coastal nonpoint boundary as including the Rouge and Umpqua watersheds, you later talk about how the OSDS rules developed would apply to the coastal zone area. OR's coastal zone boundary is actually smaller (doesn't include the Rogue and Umpqua watersheds). A small but important distinction so just be careful that you don't refer to the coastal nonpoint program (CZARA) boundary as the coastal zone boundary or area since they are actually different things.

I also wanted to take this opportunity to introduce Jayne Carlin with EPA R10 to the group. Many of you have probably already worked with her as she's worked with OR's TMDL program but she'll also be stepping in to help play a coordinating role on CZARA issues in OR to make sure everything continues to move forward. She's very familiar with the CZARA program having served a similar coordination role for AK the past several years. Her added TMDL expertise will be a good addition to your team. Keep your eyes out for future emails from Jayne as she schedules follow up calls on the TMDL development and OSDS issues.

Cheers,
Allison

On 4/18/2011 1:09 PM, YON Donald R wrote:

A couple of updates:

DEQ's proposed Onsite Sewage Disposal System Funds (SB 83) - A-Engrossed, has moved within the Oregon Legislature to become an engrossed bill, <http://www.leg.state.or.us/11reg/measpdf/sb0001.dir/sb0083.a.pdf>.

DEQ's Policy Package 120: Improve the Onsite Septic System Program, according to DEQ Director Dick Pederson, received strong support last Thursday at the Oregon Legislature's Ways and Means Natural Resources Subcommittee public hearing. A total of 19 people testified at the hearing, all in support of DEQ's budget.

Don Yon
Nonpoint Source Pollution Coordinator
Oregon DEQ, Water Quality Division
811 SW Sixth Avenue
Portland, OR 97204
yon.donald.r@deq.state.or.us
503-229-6850
503-229-6037 (fax)

From: YON Donald R
Sent: Thursday, April 14, 2011 4:38 PM
To: Allison Castellan; (Waye.Don@epamail.epa.gov); Powers; Dave (powers.david@epa.gov); BAILEY Bob
Cc: MULLANE Neil; FOSTER Eugene P; YON Donald R
Subject: Requested documents.

Dear all, as requested attached are the following four (4) documents for the Coastal Zone Nonpoint Source Program. Once the final draft of the Guidance for TMDL Implementation Plan Development for Urban/Rural Residential Land Uses Within the Coastal Zone Management Area is ready, I will post on our ftp website. In addition, once the Rough draft Outline of Implementation Ready TMDL Internal Management Directive (IMD) and the schedule for completion of the Implementation Ready TMDLs within the Coastal Zone Management Area is completed in draft form, I will send it to you for your internal review and comment.

Policy Package #120: Improve the Onsite Septic System Program (0.875 FTE; \$135,509 OF). Note that I cut-out and had to reformat a portion of the policy option package from DEQ's Budget. Go to <http://www.deq.state.or.us/msd/budget/1113GRB/GBB2011-13.pdf> for the full policy narrative. Below is a quick summary of the policy option:

This package implements a number of the Onsite Septic System Advisory Committee's recommendations including time of transfer inspections for septic systems in the coastal zone; fee for pumpers upon septage disposal in the coastal zone; inspections for alternative septic systems; higher fees for applications with prior violations; new fee category for ATT systems; annual fee for ATT products; change site evaluation requirements; new nominal fee for service contracts; and new fee category for land use planning requests. The new work, among other items, will enhance compliance activities in onsite septic system program as well as ensure that septic systems are evaluated at the time of property transfer within the Coastal Zone. This package requests .875 FTE to be phased in 2011-13 (3.5 FTE in 2013-15) to implement the new rules that will be adopted by the Environmental Quality Commission. The Governor's Balanced Budget recommends the positions be authorized as limited duration; therefore, this package will not have a staffing impact on 2013-15.

Onsite Policy Option Package Factsheet (Updated)

Onsite Sewage Disposal System Funds (SB 83) Factsheet. Below is a quick summary of the proposed legislation:

SB 83 Subsurface sewage disposal system improvement: Establishes the Subsurface Sewage Disposal System Improvement Fund and authorizes the Environmental Quality Commission to adopt rules for DEQ to use the funds to make grants or loans available to property owners for the repair, replacement or decommissioning of their septic systems.

Time of Transfer Evaluations Statewide for Septic Systems (SB 707)

Any questions, please call. Don

Don Yon
Nonpoint Source Pollution Coordinator
Oregon DEQ, Water Quality Division
811 SW Sixth Avenue
Portland, OR 97204
yon.donald.r@deq.state.or.us
503-229-6850
503-229-6037 (fax)